

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Donald Franks,  
Plaintiff,

Civil 13-2904 MJD/FLN

v.

O R D E R

Carolyn W. Colvin,  
*Acting Commissioner of Social Security,*

Defendant.

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Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated November 20, 2014, all the files and records, and no objections having been filed to said Report and Recommendation,

**IT IS HEREBY ORDERED** that:

1. Plaintiff's Motion for Summary Judgment (ECF No. 14) is **DENIED**;
2. Defendant's Motion for Summary Judgment (ECF No. 17) is **GRANTED**;
3. The Commissioner's decision is **AFFIRMED** and the case is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY

DATED: December 8, 2014

s/Michael J. Davis  
MICHAEL J. DAVIS  
Chief Judge  
United States Chief District Court Judge